



Public Notice

Applicant:
Rave Motion Pictures

Date:
Published: November 10, 2004
Expires: December 9, 2004

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-TD-R RE: 92-988-906(2) Section: NY 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Rave Motion Pictures, 3333 Welborn Street, Suite 100, Dallas, Texas 75219, has requested a Department of the Army permit to fill an additional 0.98 acres of wetland for the construction of an 18-auditorium movie theater and associated parking. The project is located on Erie Boulevard East, in the City of Syracuse, Onondaga County, New York.

Approximately 3.07 acres of wetland was delineated on the 17 acre parcel. The boundaries were verified by this office on April 21, 2004. The wetland to be impacted is dominated by giant reed grass (*Phragmites australis*), and the wetland to be avoided is largely open water. Wetlands on site drain into the South Branch of Ley Creek. Most of the site was previously used for agricultural purposes as a muck farm. Since that time, a portion of the fields were filled. It has been determined that approximately 0.48 acres of wetland had been previously filled, authorized by Nationwide Permit number 26.

The applicant has modified the proposal to minimize impacts to wetlands. The original proposal involved filling all wetlands on site, but due to concerns from this office, those impacts were reduced to avoid the open water area, as is currently proposed.

To mitigate for the proposed 0.98 acres of proposed wetland impact and the previous impact to 0.48 acres of wetland, the applicant has proposed to create approximately 2.2 acres of emergent wetland on a 10-acre parcel located in the Town of DeWitt in the Ley Creek drainage basin, adjacent to New York State Department of Environmental Conservation's wetland SYE-11.

The applicant's stated purpose for the project is to construct an 18-auditorium movie theater and associated parking.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Margaret A. Crawford, who can be contacted by calling (315) 255-8090, or by e-mail at: margaret.a.crawford@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 7413 County House Road, Auburn, New York 13021, and should be marked to the attention of Margaret A. Crawford, or by e-mail at: margaret.a.crawford@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

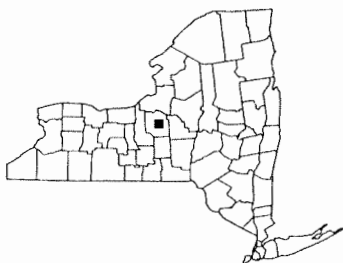
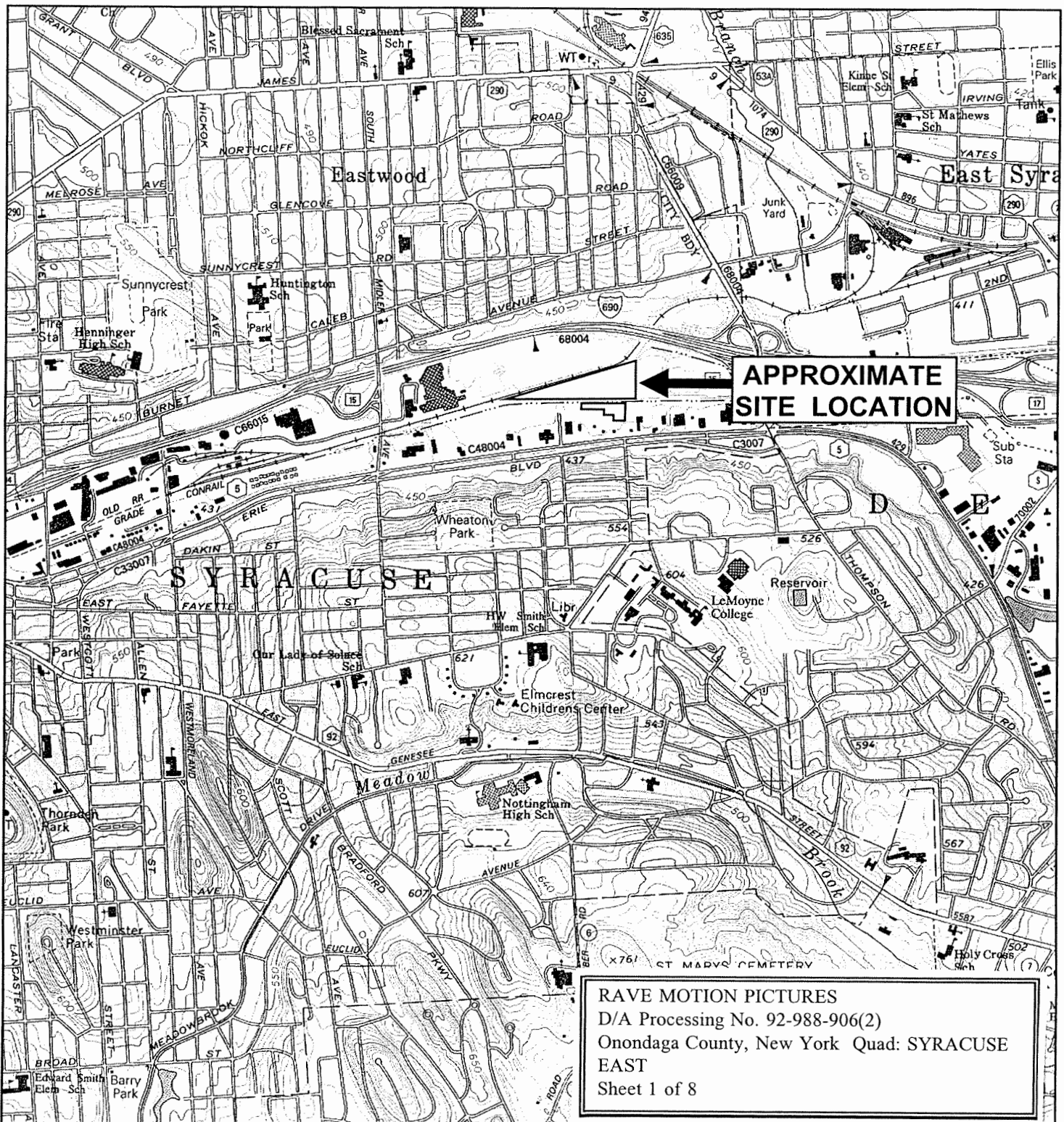
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SIGNED

Thomas C. Switala
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



QUADRANGLE LOCATION

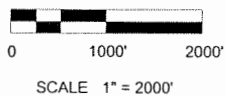
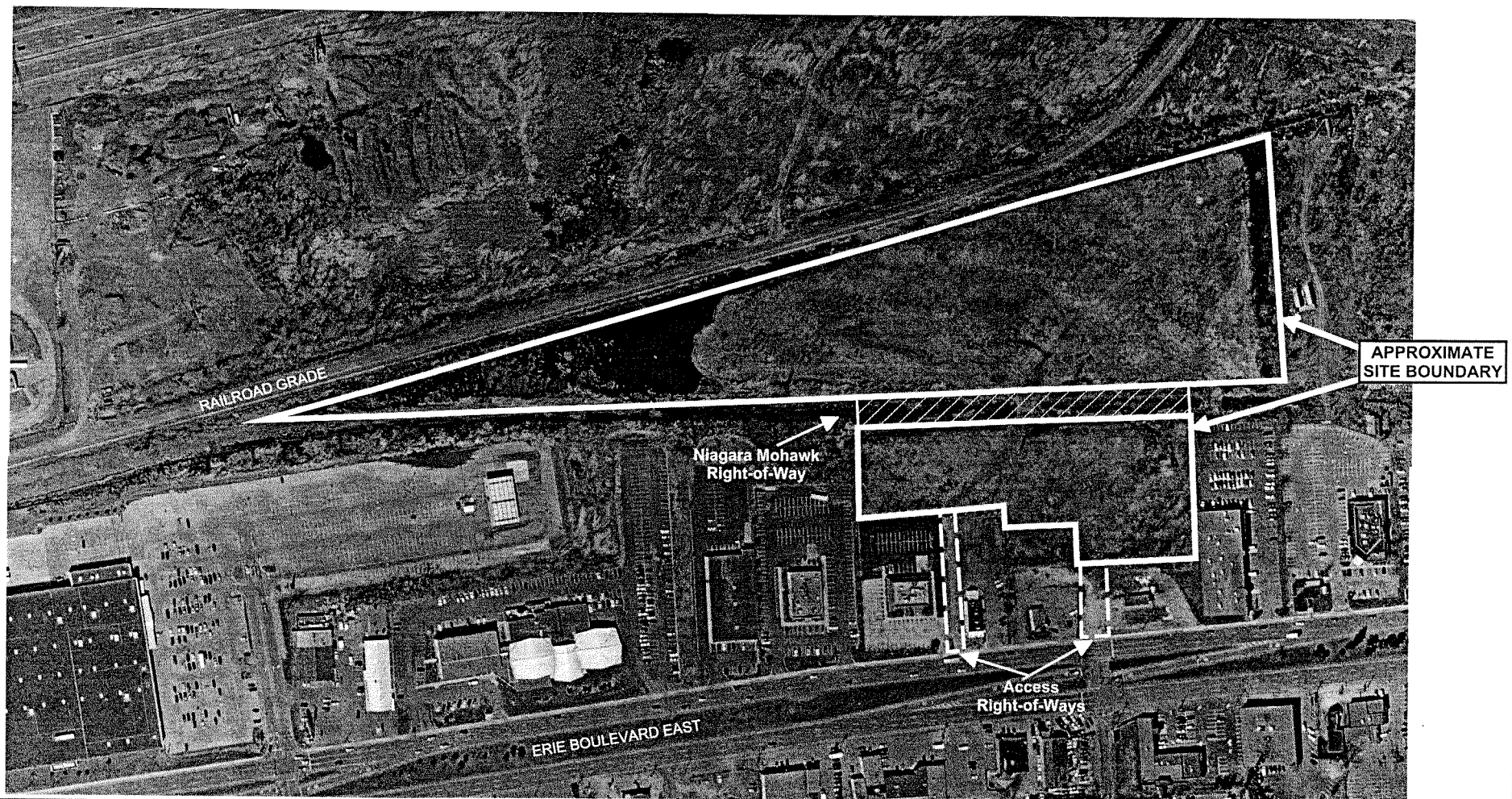


Figure 1. Site Location
 NYS DOT Topographic Map
 Syracuse East Quadrangle
 1990

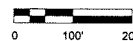


LEGEND



- Niagara Mohawk Right-of-Way

NORTH



APPROXIMATE SCALE IN FEET

2003 Aerial Photograph Obtained From
NYS GIS Clearinghouse

Figure Prepared by Terrestrial Environmental
Specialists, Inc.

Figure 5. 2003 Aerial Photograph

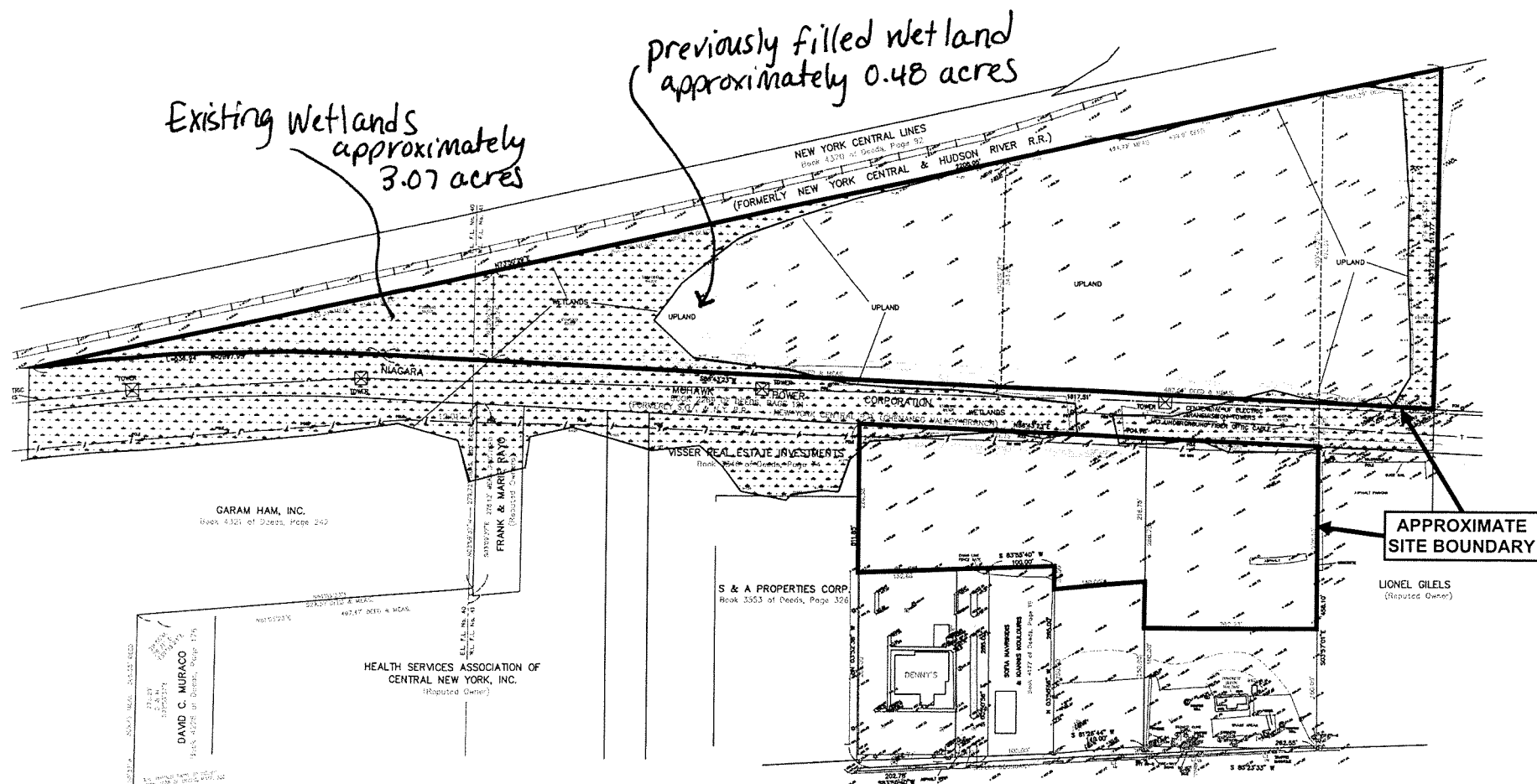
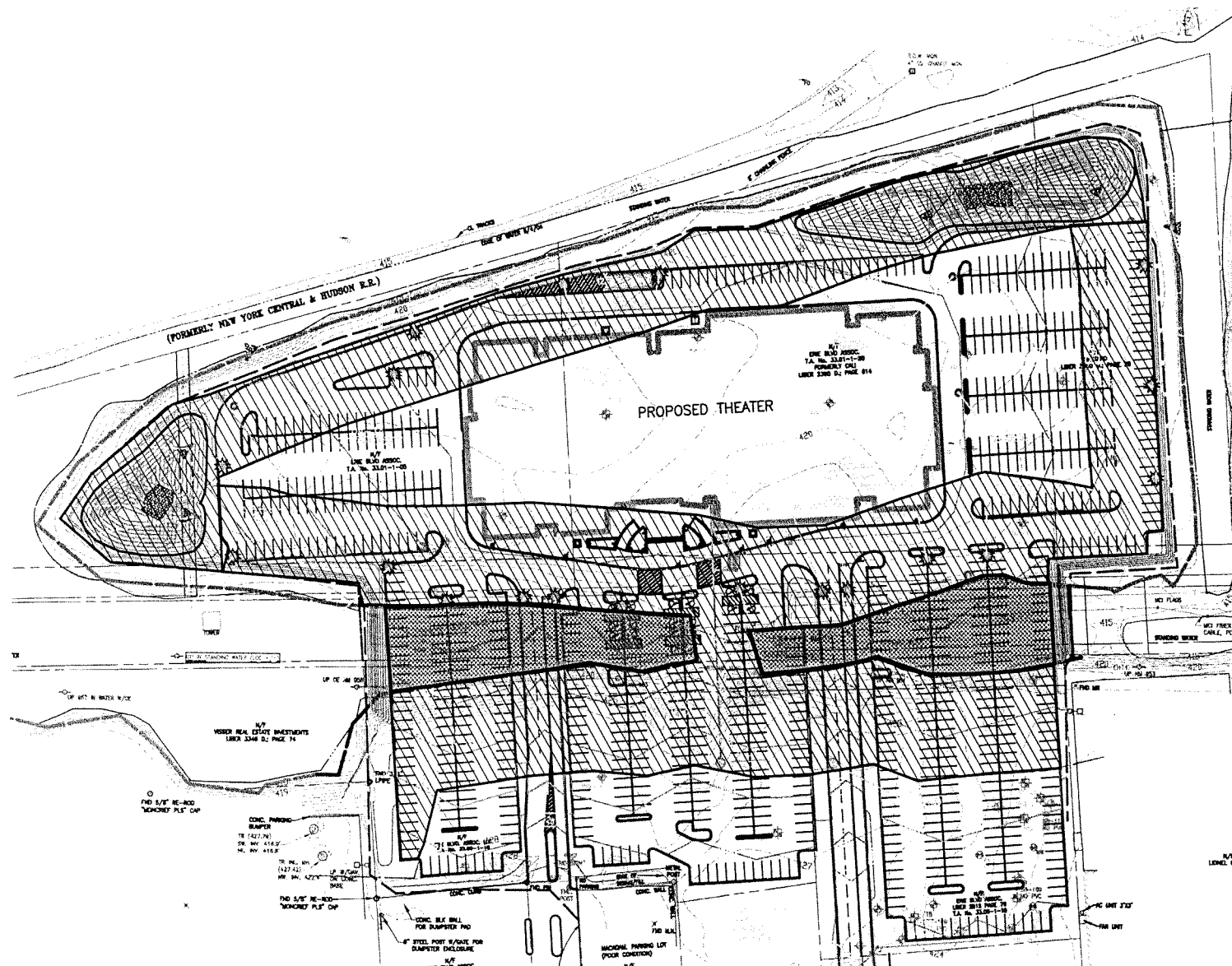


Figure Prepared by Terrestrial
Environmental Specialists, Inc.

Base Map Provided by lazuzi & Romans, P.C.

Figure 6. Existing Conditions

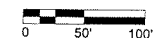
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D/A Processing No. 92-988-906(2)
Onondaga County, New York Quad: SYRACUSE
EAST
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LEGEND

Wetland Fill
proposed 0.98 acres

NYSDEC
Adjacent Area



SCALE 1" = 100'

NORTH



Figure 10.
Wetland Impacts of
Proposed Project

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SITE BOUNDARY

LEGEND

- PROPERTY LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- WETLAND LIMIT
- PROPOSED 20' WIDE ADJACENT AREA
- 100' NYSDDC ADJACENT AREA
- EDGE OF STANDING WATER
- EXISTING FENCE
- PROPOSED FENCE
- SIGN POST (SINGLE & DOUBLE)
- HANDICAPPED ACCESS RAMP
- PAINTED HANDICAPPED PARKING SYMBOL
- PAINTED STRIPED ISLAND
- 18" WIDE PAINTED STOP BAR
- PAINTED TRAFFIC FLOW ARROWS
- 4" WIDE SOLID PAVEMENT STRIPING
- 4" WIDE BROKEN PAVEMENT STRIPING
- CONCRETE CURBED ISLAND
- PARKING COUNTS

Access Right-of-Way

Access Right-of-Way

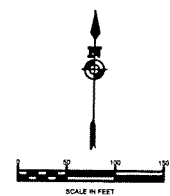
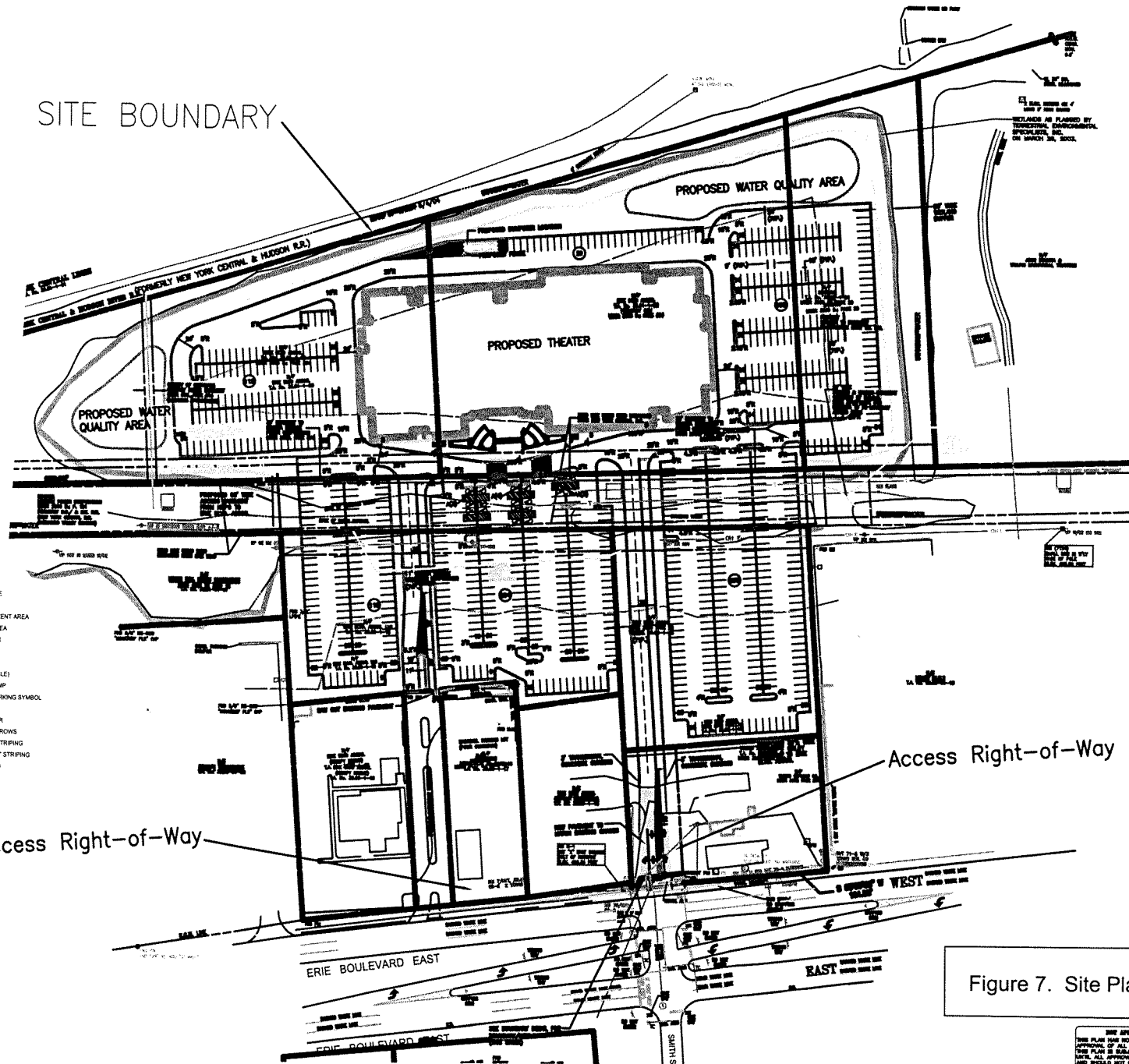
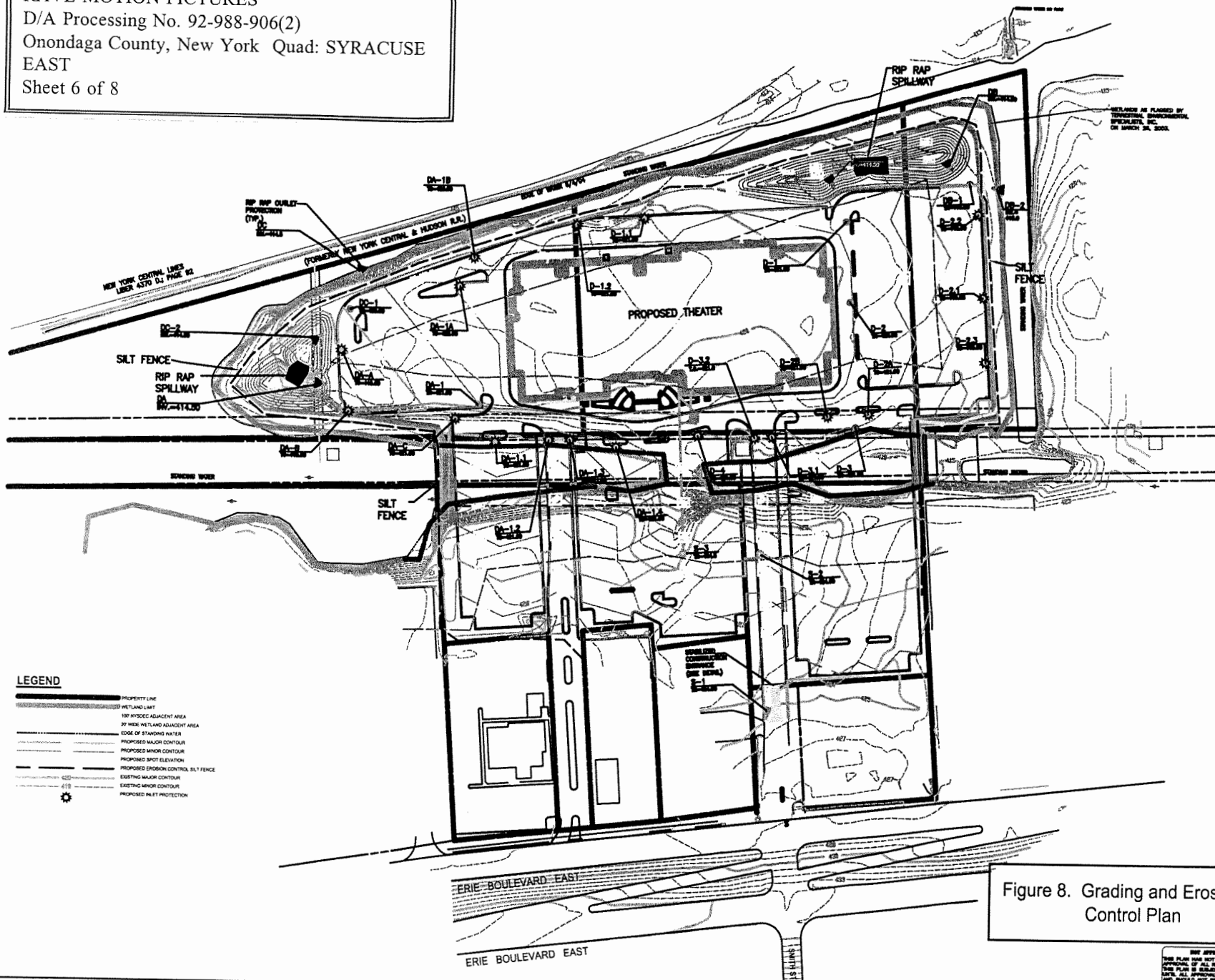


Figure 7. Site Plan

PROJECT NO. 193500218		SHEET NO. CS 100		SHEET OF 193500218																																		
PROJECT NAME RAVE MOTION PICTURES, LLC 500 ERIE BOULEVARD EAST SYRACUSE, NEW YORK		PROJECT LOCATION 		PROJECT DATE 07/05/2014																																		
PROJECT ENGINEER STATTEC CONSULTING GROUP, INC. 1400 3RD AVE SYRACUSE, NY 13202 Tel: (315) 435-1111 Fax: (315) 435-1114 www.stattec.com		PROJECT ARCHITECT M. FARKAS 100 WALLACE SYRACUSE, NY 13202		PROJECT DESIGNER C. DUNN 100 WALLACE SYRACUSE, NY 13202																																		
PROJECT SITE PLAN 		PROJECT REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISIONS</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td></tr> <tr><td>5</td><td></td><td></td></tr> <tr><td>6</td><td></td><td></td></tr> <tr><td>7</td><td></td><td></td></tr> <tr><td>8</td><td></td><td></td></tr> <tr><td>9</td><td></td><td></td></tr> <tr><td>10</td><td></td><td></td></tr> </tbody> </table>		NO.	DATE	REVISIONS	1			2			3			4			5			6			7			8			9			10			PROJECT DATE 07/05/2014	
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THESE PLANS HAVE BEEN REVIEWED FOR CONFORMANCE WITH THE REQUIREMENTS OF THE SYRACUSE CITY CODE AND ALL NECESSARY PERMITS HAVE BEEN OBTAINED FOR CONSTRUCTION PURPOSES.

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LEGEND

	PROPERTY LINE
	WETLAND LIMIT
	100' WYDEEC ADJACENT AREA
	30' WIDE WETLAND ADJACENT AREA
	EDGE OF STANDING WATER
	PROPOSED MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	PROPOSED SPOT ELEVATION
	PROPOSED EROSION CONTROL, SILT FENCE
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	PROPOSED INLET PROTECTION

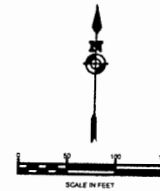


Figure 8. Grading and Erosion Control Plan

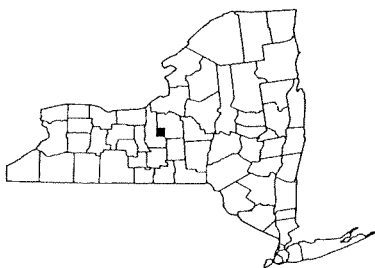
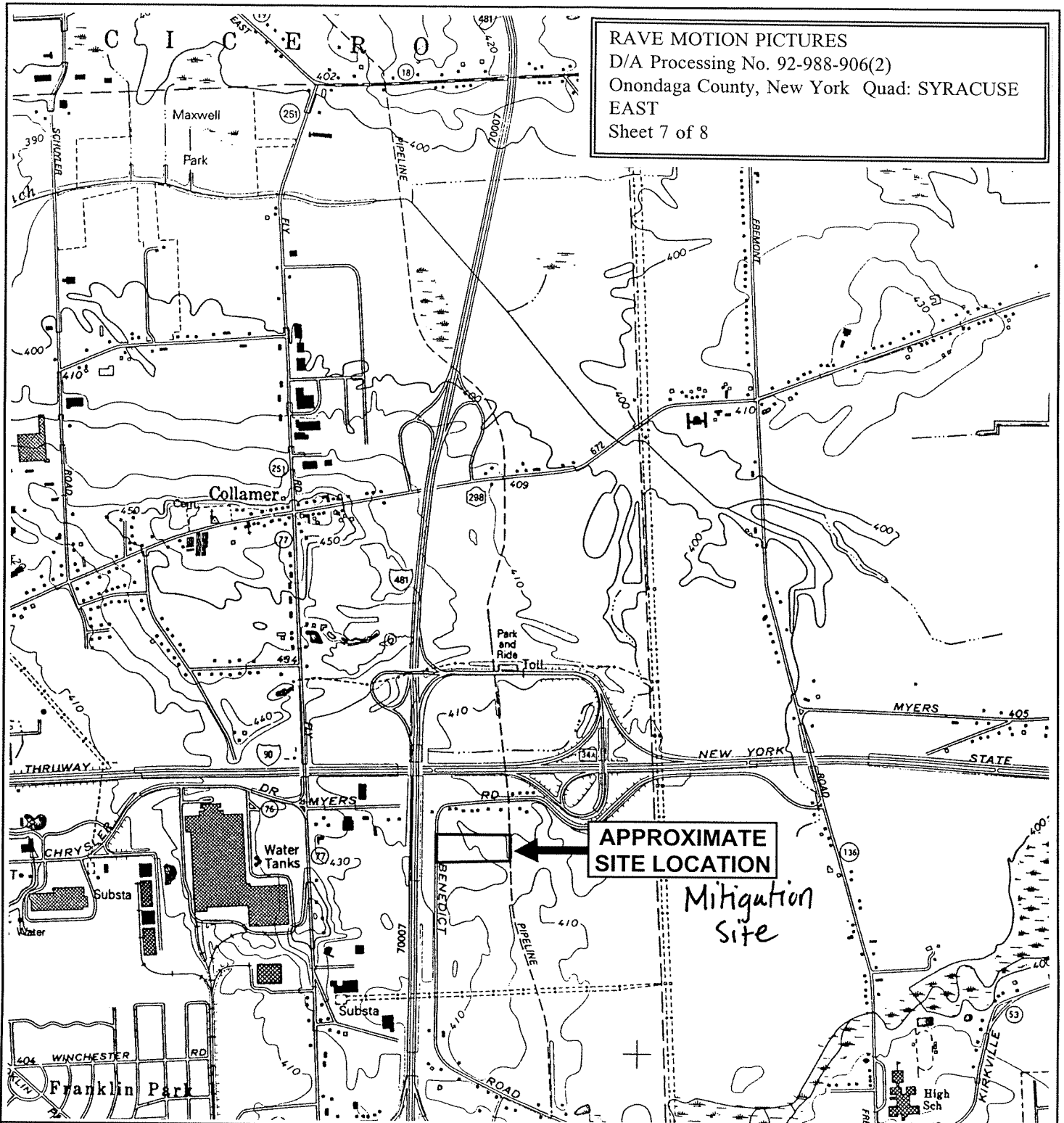
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RAVE MOTION PICTURES

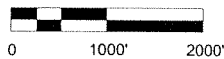
D/A Processing No. 92-988-906(2)

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EAST

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QUADRANGLE LOCATION



SCALE 1" = 2000'

NORTH



Figure 12. Proposed Wetland Mitigation
Site/Pheasant Road

NYS DOT Topographic Map

Syracuse East Quadrangle
1990

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